



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/844,336	04/18/1997	PAMELA R. CONTAG	8678-004-999	7227

7590 01/06/2005

ROBINS & PASTERNAK LLP  
1731 EMBARCADERO ROAD  
SUITE 230  
PALO ALTO, CA 94303

EXAMINER
----------

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1645

### NOTICE OF A NON-RESPONSIVE AMENDMENT

The reply filed on 8-16-2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the amendment to the claims is not in strict compliance with the revised 37 CFR 1.121 as required as of the effective date of July 30, 2003 (see attached). Specifically, claims 4 and 6 should be identified as "original" claims. Moreover, claim 5 contains an improper change (first appearing in the amendment filed on 12-29-2003) – "product" was changed to "produce". Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Zeman whose telephone number is (571) 272-0866. The examiner can normally be reached on Monday- Thursday, 7am -5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette Smith can be reached on (571) 272-0864. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Robert A. Zeman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert A. Zeman  
January 3, 2005